

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

**IN RE: ASBESTOS PRODUCTS
LIABILITY LITIGATION (NO. VI)**

Civil No. 5:98cv92

This document pertains to:

JAMES R. BARNES and wife, DOROTHY G. BARNES; GRADY H. BEARD and wife, SUZY M. BEARD; WAYNE BEHELER; JAMES L. COBB and wife, REBEKAH COBB; BARNEY MERRILL GRANT and wife, HAZEL GRANT; E.F. GREENE, JR.; BENJAMIN G. GROGAN and wife, HELEN D. GROGAN; MARION HANCOCK and wife, JOEANN S. HANCOCK; JERRY LEE HEWELL and wife, JANICE HEWELL; IVER OSCAR HONGISTO and wife, BETTY S. HONGISTO; JIMMY R. HORNE and wife, VIRGINIA F. HORNE; WILLIAM D. JOYCE and wife, PATSY F. JOYCE; ROGER D. PHILLIPS; GERALD D. RICHARDS and wife, SUSAN H. RICHARDS; LARRY K. BROOME and wife, TREVA E. BROOME; ROGER D. CHURCH and wife, LORETTA H. CHURCH; SHARON C. COBB, Executrix of the Estate of ORVIL L. CUPP; HOY V. CUTHBERTSON; ALTON L. HUGHES and wife, LENA M. HUGHES; CHARLES M. McGINNIS and wife, AVA P. McGINNIS,

Plaintiffs,

Vs.

ACandS, Inc., et al.,

Defendants.

ORDER OF DISMISSAL OF DEFENDANT CLEAVER-BROOKS, INC.

THIS MATTER is before the Court, with the consent and approval of the parties, to dismiss the captioned Plaintiffs' claims against the Defendant Cleaver-Brooks, Inc.

For cause shown and pursuant to the agreement of the Plaintiffs and the Defendant Cleaver-Brooks,

IT IS, THEREFORE, ORDERED that the claims of Plaintiffs Wayne Beheler; and Charles M. McGinnis and wife, Ava P. McGinnis against the Defendant Cleaver-Brooks, Inc., are hereby **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that the claims of Plaintiffs James R. Barnes and wife, Dorothy G. Barnes; Grady H. Beard and wife, Suzy M. Beard; Larry K. Broome and wife, Treva E. Broome; James L. Cobb and wife, Rebekah Cobb; Sharon C. Cobb, Executrix Of The Estate Of Orvil L. Cupp, Deceased; Curtis H. Cuthbertson, Administrator of the Estate of Hoy V. Cuthbertson, Deceased; Barney Merrill Grant and wife, Hazel Grant; E.F. Greene, Jr.; Marion Hancock and wife, Joeann S. Hancock; Jerry Lee Hewell and wife, Janice Hewell; Jimmy R. Horne and wife, Virginia F. Horne; William D. Joyce and wife, Patsy F. Joyce; Roger D. Phillips; Gerald D. Richards and wife, Susan H. Richards against the Defendant Cleaver-Brooks, Inc., are hereby **DISMISSED WITHOUT PREJUDICE**.

Signed: March 22, 2007



Lacy H. Thornburg
United States District Judge



Prepared and Submitted By:

Attorney for Defendant Cleaver-Brooks, Inc.

s/ Stephen B. Williamson

Stephen B. Williamson, Esq.

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Consented to By:

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s/ Janet Ward Black

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